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BROWN RAYSMAN			
BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP			
FACSIMILE COVER SHEET			
From: Direct Dial:	Brooks W. Quist (310) 712-8319	Date: Client/Matter #:	January 3, 2005 10407513
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Please see the attached documents:			
Transmittal Form (PTOSB/21); Certificate of Transmission under 37 CFR 1.8 (PTOSB/97); and Amendment and Response to Office Action			
<p>Please Note: The information contained in this facsimile message is privileged and confidential, and is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problem occurs with transmission, please notify sender or the mail room by telephone: (310) 712-8300. Thank You.</p>			
<p>BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP 1880 CENTURY PARK EAST SUITE 711 LOS ANGELES CA 90067 T 310 712-8300 F 310 712-8383 www.brownrayman.com PAGE 145 * RCVD AT 1/3/2005 5:45:51 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-6/24 * DNIS:2738300 * CSID:310 712 8383 * DURATION (mm-ss):17:41</p>			

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09/967,221

Applicant(s)

MORROW ET AL.

Examiner

Art Unit

Scott E. Jones

3713

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 1/3/05 (claims) and 2/4/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Page 27 of the claims (claims 123-127) is missing in the response.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

SCOTT JONES
PRIMARY EXAMINER